1: Cohen E-4,5 (1956-1965) 1967 MS14 Kanuri MS14

121 the allocation of members in a genealogy to a socially and culturally recognized kin
60 group. This may include the same persons as a genealogical group, or it may in-
61 clude only part of them.

(c) Affinal relations—the links between individuals which are based upon marriage through the socially recognized union of a husband and wife.

601 The Kanuri separate genealogical relations from those of descent just as we
602 do by speaking of distant relations. They have a special word for such people, although many younger people today do not use it, and simply describe such people as "distant" or "far away" in the same way that Kano is far away from Maiduguri. The traditional word refers to a vine that grows around a household wall and then continues to reach out and grow on the walls of adjoining households. However the vines all stem from one root, just as an expanded genealogical tree can be viewed as coming from one man and his wife or wives. These distant kin do not attend one another's family ceremonies or send gifts on important occasions. Indeed their whereabouts are often not very well known to the person speaking of them. Many Kanuri can give quite a large number of such kin especially in their parents' generation, their own, and that of their children. On the other hand, like Americans, they find it difficult to remember relatives back beyond their grandparents even though there is a special kinship term for great-grandparents, and only a few people can name the brothers and sisters of their grandparents. Exceptions to this occur in increasing degree as families become more and more aristocratic. Such families retain the memory of important male ancestors in their genealogy much further back than do ordinary people; indeed they often maintain special persons to keep the memory alive.

601 Set into the genealogy of any Kanuri individual is his own descent group.
611 In anthropological jargon—used because once understood, it is technically efficient —this group is reckoned cognatically with an agnatic emphasis. That is to say, Kanuri descent groups are based upon an individual's relation to persons through both his father and mother (cognatic relationships); and a person feels equally related to all of his four grandparents. However there is an emphasis placed upon those related to a person through males only (agnatic or patrilineal descent) for a number of important activities. The father's cognatic descent group is called the family of the blood, and the mother's cognatic group is the family of the milk, while the word "family" (*dur*) refers to both father's and mother's side of the family. Other evidence for the cognatic quality can be seen in the words used for various relatives in the descent group. There are no distinctions between mother's side and father's side in the terms for great-grandparent and grandparent, and although there are significant differences in the terms used to refer to relatives of the parent's generation level, cousins on both mother's and father's sides can be lumped under one term, which is the same as the one used to refer to a brother or a sister. On the other hand, there are differences between the mother's and the father's side which we refer to as an agnatic emphasis.

611 This emphasis can be easily seen in inheritance and when a man goes to
671 court. The Kanuri follow Islamic inheritance law in which men receive two por-
428 tions to every one given to a woman. Thus it is twice as important to be related to
562 your father as your mother, if everything else is equal, such as the amount of wealth
578 to be inherited and so on. These rules of inheritance are followed very closely in

1: Cohen E-4,5 (1956-1965) 1967 MS14 Kanuri MS14

These rules of inheritance are followed very closely in practice, because everyone knows that any dispute over inheritance that cannot be settled amicably between the surviving relatives goes to court—and the court normally takes ten percent of the estate for its adjudication services in an inheritance dispute. When a man is called into the courts, and most Kanuri have been to court at some time in their lives, he must go with his agnates—his father, paternal grandfather, father's brothers, sons, father's brother's sons, and any other male he can muster who is related to him in the male line. This agnatically related group is legally responsible as a whole for the acts of each of its members unless a crime against the state has been committed. A Kanuri who is threatened immediately thinks of this group as the one that he can turn to for help. As we shall see later the group often lives close together so that the agnates are neighbors as well as a corporate group in the eyes of the law. They help one another in many day-to-day activities, perform ceremonies together, and often practice the same or closely related occupations.

Although there is an emphasis on a person's agnates, his kin relations through his mother are also quite important. People who have no matrilateral kin (those related to a person through the mother), or very few of them, are considered to be unfortunate because they lack that much warmth and affection in their lives. These kin, say the Kanuri, love you like a mother loves her child. You can feel at home with them in a way that is less conflict-ridden than any other kinship relation. People often said that if they had to borrow money it was better to go to mother's kin first before asking anyone related to them agnatically. There is always some tension over property among an agnatic descent group because it is the major one for purposes of inheritance, family wealth, and privileges. People say that if a man borrows from his father or his father's brothers, or his brothers, or his patrilateral cousin, he is trying to get his inheritance or that of his brothers before the proper time. Furthermore, the responsibility in court, and in the eyes of public opinion, of one agnate for another also increases the tensions in this group as compared to the matrilateral one. By contrast, however, a man with no agnates is not just unfortunate—he is a social outcast. He has no group to stand up for him as a result of his birth into society; he has no legal right to a father's inheritance, he is thought of as an outcast, he must rely solely on his wits, and he cannot easily be trusted.

A village area chief and his advisers declared that I should not hire a certain man and claimed that they were going to see to it that I certainly did not take him into my household. They told me that no one in the vicinity knew his brothers or his father, or his father's brothers, or indeed if he had any, or where they might be, and he would not volunteer any information on the subject. In their eyes he was not a responsible person, and if he did anything wrong there was no group they could call into account for it. Unless he could attach himself to a household, he simply had no means of achieving an accepted position in the community, and the village leaders did not like the idea of making me, a European stranger, responsible for this unknown man.[1] Obviously under such circumstances illegitimate

[1] This would mean that as his household head I must appear in court if and when he did something wrong. The local leaders did not believe they could require this responsibility from me, and were thus faced with the problem of allowing into their community a man for whom no one could vouch, yet giving him a paid place in one of its wealthiest households.

1: Cohen E-4,5 (1956-1965) 1967 MS14 Kanuri MS14

very often is, by divorce or death, or the movement of its members to a new place. While such changes occur, the household remains; its personnel may change, its landholdings may expand or contract, and its relations with other households through its household head may shift—but people see it as an organization in terms of which settlements are built into larger units; into wards, hamlets, villages, cities, and finally, the state itself.

The personnel of a household is based on that of the family, and generally moves through a cycle that may involve several alternatives to the usual pattern. Let us start with a couple. A young man marries for the first time, and in about sixty percent of the peasant cases recorded for three rural villages in Bornu, he brings his wife to the vicinity of his father's compound or moves into a section of his father's compound. If the latter is the case, he will move to his own compound close by after his own conjugal family (his wife or wives and children) increases in size either through the birth of children or the acquisition of more wives. When his own children grow up, his daughters leave to marry and return from time to time because of divorces or separation from their current spouses. Because many sons bring their wives to their father's household or close by, the original father finds himself the nominal head of a growing patrilocal extended family which, as we shall see in Chapter 6, can in time become a separate ward or sub-ward of the town. When the father dies, the oldest son or the most capable or successful of all sons takes over the compound of the dead father. Lands and goods are apportioned among the male heirs, although the person taking the father's role sometimes takes half the land and divides the rest equally among the living heirs. Thus in one case a man with three brothers took his father's fields and divided them in half. One-half he kept for himself, and the other half he split among the three brothers.

A problem that frequently emerges at this time is that of the mothers of half siblings—the wives of the dead man. The man who takes over his father's compound or household tends to install his own mother there as a dependent, since most old women are without husbands.[2] If she is a vigorous woman, she can become a powerful person in the household. Indeed in the royal household she has a special title, as we have seen, and was traditionally a noble-woman of great power. The other wives of the dead man must go and live with their own kinsmen, usually one of their sons. In one case this problem was intensified by the fact that the household head, a powerful political leader, had only one son and that by a concubine. When the present head dies, his senior wife, a woman of very powerful upper class affiliations will have to leave and her own slave—a woman very much junior to her—will be installed as the senior woman of the household. Such eventualities can cause tension between the members of any household who know that some day the power and authority relationships within the household will change hands.

In the same vein, siblings tend to drift apart after the death of their father. Even though they live close by one another, their unity and cooperation is not as great after the father's death as before. On the other hand, this can be ameliorated by social and economic factors which are important to keep in mind. Thus if a senior brother takes over a powerful political role, or a lucrative economic one, and

[2] As a woman approaches old age she finds it extremely difficult to remarry and thus most old women are resigned to being beyond the marriageable period of their lives.

1: Cohen E-4,5 (1956-1965) 1967 MS14 Kanuri MS14

and then bring me the profits whether or not they had crops growing and whether or not they had labor to carry on the cultivation. If I asked them what would happen to their farm they showed little concern and said merely that they farm because they can do nothing else. The implication is that if they had anything better to do they would stop farming immediately.

Land for agriculture is not scarce in Borno and all settlements except the capital city have plenty of free or unused land within their boundaries. Adjacent to a Kanuri village or hamlet are the farm plots of long-term members of the settlement and their descendants who have inherited these "house-farms" as they are called in Kanuri because they represent land attached to households. These plots are always bounded and often fertilized by the village sheep and goats. In Magumeri house-farms extend in a circle around the village for a radius of about three quarters of a mile. Outside this circle are isolated farm plots dotted here and there and free land as well as pasture land. Ownership is obtained by clearing such land after having registered this intent with the village head, by inheriting a plot, or by having been given it by the previous owner. The Kanuri see house-farm land as symbolizing long-term and stable association with a village or city, while bush farms, although everyone has a few such plots, mean transience or newness because the household head who farms only these does not yet have any farm plots identified with his compound so that people can say, "There is Modu's house, his house-farms are in such-and-such a spot." Instead they say, "That is Modu, he has moved into so-and-so's house or built a house near so-and-so, and has cleared a few new farm plots a mile or two to the south of town."

An interesting and yet difficult question is that of land ownership. The way in which land is owned can be seen in those practices associated with acquisition and transfer. Anyone can clear new land or land that has been unclaimed for many years. He should report this to his local political leader whose permission is always granted if there are no known claims on the property. Again a man may go to the local political leader and ask where he can farm; he is then directed to available plots on the advice of the leader. Or land may be inherited, usually in the male line, or acquired as a gift from a friend, or it can even be sold. Political leaders sometimes try to exert themselves in being party to all land transfers so that their permission becomes part of the transaction, and they feel they have a legitimate right to do so when the previous owner has used the land for a short period. The difficulty here is that there is no definite rule to tell the Kanuri how long a man should use a piece of land during his own lifetime before he has a total right to transfer it to anyone else. On the other hand, they believe that once land has been inherited it is the property of the family, and decisions about its use and transfer are primarily in the hands of the owners. In practice the Kanuri always hold land because they are using it, having cleared it, inherited it, or come to some agreement over it with the previous owner. In the latter case this could mean anything from an outright sale, practiced more near the larger cities, to an agreement over it with the user who gives the previous owner some percentage of the crop. The system works well when household heads as land owners and users have good working relations with their local political leaders. If this is not the case, then political leaders often insist on helping to make decisions about the land and its ultimate transfer whether it has been held for a short time or a much longer one. I have seen or

1: Cohen E-4,5 (1956-1965) 1967 MS14 Kanuri MS14

been told of many political leaders who rubber stamp decisions about land transfer, simply registering the fact and witnessing its legality. In some cases, however, there is interference, and it is generally discovered when this happens that there have been some previous difficulties in the owner's relationship to the political leader.

Farm plots are generally used for periods of four to eight years. Then they are allowed to lie fallow for about the same length of time. Everyone in the community knows a fallow field and its owner, and there would be trouble if someone tried to use one of these without the owner's permission. If fallow land is unused because the owner has moved away or has given up farming, then the land reverts to the common disposal of the community as a whole. The political leader can then allot these lands to newcomers or other community members, although he would generally be careful to check claims on them by previous owners and their relatives before doing this.

In summary, from the point of view of the people themselves, there are four different kinds of land around a Kanuri village. First, there is land owned outright by the household head over which he has complete authority. Secondly, there is land that has been cleared by a household head or that he was given the right to use by his local leader and which may become totally his or that of his heirs after long years of use and/or inheritance. Thirdly there is resting land, which is a farm plot that has been in use but whose depleted soil the owner will likely use again. If he moves away without trying to dispense with any of these plots then they revert to free land. Finally, there is free unused land around the settlement that can be used for newcomers or those trying to expand their holdings. As far as ownership is concerned, about sixty percent of all land in Magumeri was obtained through inheritance. The remaining forty percent was almost all new land cleared outside the present circumference of farm plots in which the plots had been registered with the village head whose permission had been granted. The important thing to remember about this system is that it works. Litigation over land in Magumeri had to do mostly with what we call "trespassing." People were brought to the courts because they (usually their livestock) had infringed on someone's right to land. There was very little difficulty in general over transfers. People knew what rights were held and how they could transfer these rights to others.

Except for the few farmers who produce either specialized crops like yams or tobacco and then market them, most Kanuri have a dry season occupation such as craftwork, trade, or a service occupation such as native doctoring or barbering. These they view as an occupation, while farming, unless it is the only specialty carried out, is viewed as an important side line. As we have seen in the chapter on the life cycle, recruitment into an occupation is carried on by an apprenticeship system within the household organization. This is even the case for some western types of occupation such as truck driving, and it only recedes in importance when western type schooling is involved.

Traditionally, occupations in Bornu have been organized under head men in each settlement and under an overall head man for the entire occupation who lived in the capital city. Today the traditional occupations such as blacksmith, leather worker, butcher, and so on still have such an organization, although the privileges and duties of a head man are very few and do not extend beyond his local settlement. Nevertheless, men in Magumeri who are butchers, blacksmiths or dyers, and

1: Cohen E-4,5 (1956-1965) 1967 MS14 Kanuri MS14

their families were not butchers in times past but conditions have forced them to "take up the knife." The craft requires anatomical knowledge of animals and a skilled use of the knife to cut and clean them. Besides this it necessitates continuous relations with cattle owners, many of whom are Shuwa and Fulani nomads who wander through the area.

Mala Bukar lives with his two wives, the younger of whom has a small child aged three, and two *tada njima* who are his apprentices. There are five huts in the compound, one each for the wives, one for Mala Bukar, one for the two apprentices, and one for meat storage. The apprentices are both unrelated to Mala Bukar by kinship, but both are the sons of butchers who are well known to him. The young boys explained that they wished to travel about the country before they settled down as butchers in their home villages. They treated Mala Bukar as they would their own father giving him all the subordination and respect due to a compound head. Mala Bukar's immediate neighbors, one to the north of him and one just to the east of him, are his younger brothers. One sells hides and skins, the other is a butcher and works closely with him although they generally butcher separately. They do, however, buy from nomads together, and often the younger brother looks after Mala Bukar's stall in the various markets they journey to together. The three brothers inherited their "house-farms" from their father. Mala Bukar—as the older brother who took over his father's household—took half while the other half was divided between the two younger brothers. Since then he has cleared one plot in free land far from town, and his apprentices are busy clearing a new one which Mala Bukar says is being cleared to replace an old one used for the last time several years ago (it is now fallow). The apprentices are also clearing small plots of their own near to the one they are preparing for the butcher and hope to get some extra cash from ground-nuts. Generally Mala Bukar estimates he obtained about ten bags (one ton) of millet and three bags (600 pounds) of ground-nuts.

The farm work itself is done by Mala Bukar's two wives and his apprentices who do not work together because it would be considered shameful for them to have to interact socially for any length of time. Mala Bukar decides on what is to be planted, when, and in what plots. He also decides on hoeing dates, and the time and scheduling of the harvest. The wives do less actual work in the field than many of their rural counterparts because of the apprentices, although they still take or send out cooked food to the boys during the hoeing season. Mala Bukar also gives his wives the hooves of slaughtered animals which they are able to sell for extra spending money.

The work schedule of the household is tied to the supply of Mala Bukar's meat and local demands for it. During the dry season he slaughters mostly sheep and goats while the rainy season which brings the cattle nomads is more heavily the time for beef preparation. He almost always butchers on Saturdays, the day before the village market day, and may do some more on Sunday if selling is brisk at the market. During Sunday he hears about conditions in the villages close by that have markets on Monday and Tuesday. If demand there seems promising, or if he has unsold stock, he attends the Monday and Tuesday markets as well.

Even with the apprentices, however, his turnover is not excessive. In the dry season he kills about four goats and/or sheep per week, and once in a while, usu-

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of the first ascendant generation and is sometimes extended to spouse's senior siblings, real and classificatory. The second term tiu (junior in-laws) refers to spouse's collaterals and descendant generation kin members. The terms kèsai and tiu can be used to address all relations by marriage if the speaker so desires. Thus, ego's daughter's husband can be a tiu and the father of this person can be addressed as kèsai. Or again a sibling's spouse can be addressed as tiu and the parents of this person are kèsai. Consanguinal terms are used for spouses of parents' collaterals and a spouse's grandparents are given the same term as own grandparents. However, dur does not apply to affines of any kind unless there has been a nyia durbe (kin marriage), i.e. a cousin marriage.

602

For reasons of residence, inheritance and legal responsibility, ties with the father's and mother's kin are of a different kind. The high proportion of patrilocal marriages as well as the differential division of inheritance as between males and females on the one hand and agnatic and uterine kin on the other in Maliki law tends to emphasize the father's agnatic group as the more important. (1) It is also the agnatic kin of the father who go to court to support ego and who help him to pay fines.

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Terms of reference are most generally formed from the terms of address by adding the possessive pronoun at the end of the word. Thus ya (mother) can be yanyi (my mother) or yanum (your mother) or yansè (his/her mother). Due to the reciprocal nature of the joking relationship between grandparent and grandchild, the term of address (grandparent speaking) is kaka, and is used reciprocally, while the differentiated term for grandchild (diwo) is used primarily

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(1) Burton, F.H.; Maliki Law, (London) 1914, pp. 373-397.

592 slaves living within the compound as part of the household may
567 be children or young girls, or they may be chirs. Murshe who
565 bear children are freed by virtue of being the mother of their
• [428] master's child, though they remain murshe. Such a child inherits equally with children borne to a wife.

592 At present there are many powerful and wealthy household
556 heads who are not members of the aristocracy or royalty. These
565 men, though they do not own slaves, are important men in the larger towns, and their households reflect their wealth and
592 their social importance. Included as part of their household
597 may be children who have been given to them and are their adopted sons. Children are frequently given by their parents to individuals in other households, where they grow up. There are two types of 'giving': a child may be given to a close relative, such as to one's childless brother or to one's mother, whose children are all grown and whose house is now empty. A man blessed with many children of his own will give a child to a
592 relative. Another sort of giving involves naming the child
597 after an important man (the child's chibuna). The chibuna then
557 has the option of asking for the child after it is weaned, or
[553] later, so that the child will grow up in his household as his adopted son. A child growing up as part of an important man's household will have many possibilities open to him, possibilities not available to the common man. The parents make the initial choice when they name the child, indicating that they would wish their son to grow up in his chibuna's household. The

592 important man then exercises his choice by asking for the child
597 should he observe it to be bright and attractive, or neglecting
557 to ask should he for some reason not want the child. The child is usually given at the time of weaning. If the child is given to his chibuna, he does not return to visit his real parents, as there is shame (nungu) involved, though he will not call his adopted parent "my mother", or "my father." A man treats his adopted son (his chibuna--a reciprocal term) just as he would
[428] treat his own son. However, the boy does not inherit from his
[583] chibuna. The head of the household does supply his adopted son with a bride-price when he marries.

557 Many boys are named after nobles, after Lowans and Ajias.
592 Some of these chibuna are taken into the aristocratic household,
597 though a good many are not and grow up in their true father's
565 household. Certain talaka household heads have become very wealthy in the recent years, and have three or even four wives and very large households. Neighbors and acquaintances may name their sons after these men, who may then take their young chibuna into their household. It is clear, therefore, that size and composition of one's household is related to the old system of social stratification (royalty, aristocracy, talaka, slaves), since slaves are part of the household of both royalty and aris-
[178] tocracy. It is also related to the rise of new classes of people, as a result of changing economic and political conditions, and this can be seen in the giving of children to household heads who are themselves talaka, but have become powerful and wealthy.

175 family. The susana has distinctive facial scars. The <u>gawi</u>
567
554 is a slave without a master. He may affiliate himself with a
[304] new master if he so chooses. Lastly, there is the slave who
175 was bought as a chattel in the market-place, a common practice
567
554 in the days when Kukawa was the capital. The susana is part
592 of his master's household, whereas the others are not. The susana of an important noble shares some of that importance by being part of the noble's household, and susana of titled nobles who were chimas served as kabuna of those nobles, and were themselves powerful individuals. The case cited above of the title Talba, granted to a slave in the household of the previous title-holder when there were no sons, indicates the position of a trusted susana in the household, and also demonstrates the nature of household unity.

567 Upon the death of a man who owns slaves, his son inherits
• 928 his slaves. Slaves are inherited just like other forms of
[643] property. The one exception to this is that the Shehu may take any slaves or chirs of one of his kabuna, either slave or
567 free, after that man's death. The rule governing children of slaves is that if the mother is a slave, the child is himself a slave of his mother's master. Status of the father does not enter in determining whether a child is slave or free, so that the offspring of a slave father and a free mother are
567 themselves free. A slave says "<u>kəmanyi</u>" (my lord) to his mas-
576 ter, though nowadays people say that "kəmanyi" is said only to
178 Allah. Under the Mais of old, all talaka said "kəmanyi" to the

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[428]

He has now obtained some farmland from a friend and all his primary relationships are with non-kin members (X is dead). His extreme youth, plus his absence at the time of the Mo-Bro death as compared with his brothers' presence in the compound, left him out of the inheritance and allowed the three half-brothers to parcel out the farmland among themselves. He feels today that there is gàdena mboji, a difference or bad feeling between him and his half-brothers.

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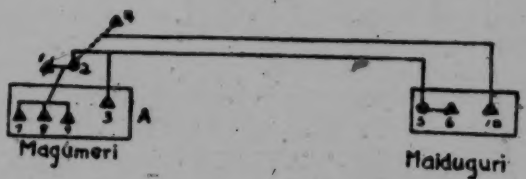
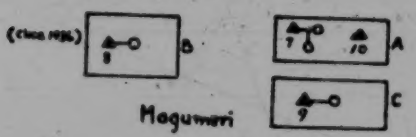
The following diagram illustrates the processes of the above example.

Stage I

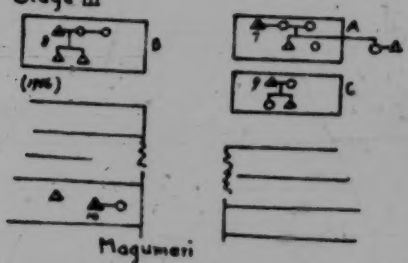


Stage II



When 3 died his sister's eldest son took over the compound (A), and 10 came to live with him. Siblings 8 and 9 soon set up their own households closeby.

Stage III



10 saved his money and finally set up his own household (D) away from his siblings.

Legends:

(1) Mo-dead-husband; (2) Mo; (3) Mo-Bro; (4) Mo-next-husband (divorced la[illegible]); (5) Mo-Sis; (6) Mo-Sis-Hu; (7), (8), (9) full siblings; (10) half-sibling to 7, 8, 9.

567 There are no rules governing sexual intercourse with 130.
595 concubines as there
[833] are with wives. A man may sleep with his concubine any time he wishes
[841] or avoid her as much as he pleases, whereas it is mandatory that he spend alternate nights with wives even if one is menstruating. Conflicts may arise between wives and concubines if the latter is overly
567 favoured sexually by the husband. A more serious cleavage arises in
595 the circumstances of the wife's being barren and a concubine having
593 given birth to a son and heir to her master. It is known by all that
428 one day the son will succeed to a large portion of his father's wealth plus his position as household head. In such a case the boy's slave mother knows that eventually she is to become the respected senior
[184] woman of the compound in which she is now a menial. Although one case was observed, it must be emphasized that such instances are rare in
554 the contemporary society. Only political leaders from the level of
567 town head up, and hereditary nobles were observed to keep concubines.
595 An extremely wealthy trader, who felt very proud of his four wives in
178 seclusion, answered that it would be improper of him to have a concubine because he was only a trader. Seventy-five years ago a man of his position would have had a score of them.

567 Several upper class informants spoke of the traditional prac-
595 tice of giving young concubines to upper class boys at their circum-
881 cision, so that they might have a female of their own in order to learn
178 about sexual intercourse. Because of the waning of the slave population numerically this practice seems to be dying out, (only one case of a male who had been raised in this way of the younger, 20 to 30 years ago, generation was recorded).

75 When a man marries a second, third, or fourth wife it is customary for him to give a sum equal to approximately half the luwal-

888 592 183 economic security for many men who are unable to achieve the more highly valued position of respected senior member of a compound in their old age.

Inheritance

428 The rules followed in inheritance are those of Maliki law,(1) and these are codified rules upheld in the courts when succession cases [613] are heard. In general property should remain within the agnatic lineage with preference given to seniority or linearity and male sex. The surviving male always receives two parts to every one given to the surviving female of equal relationship to the deceased. A wife is considered when a man has no children. She and her co-wives (if present) are entitled to one-third of the warata (inheritance) of her (their) dead husband, while the remaining two-thirds goes to the agnatic group. Thus, if a man has four wives and no children each is entitled to a fourth of the wife's third, i.e. one-twelfth of the estate. For wives this means in practice only a share of the movables, excluding land-use rights and the household immovables. If there are children a wife is not entitled by law to any of the inheritance, although it is customary to give her a gift of money if she is being [587] sent away from her dead husband's house by the surviving agnates. If none of the male children are her own then she has no longer any living connection with her husband's family unless she marries a brother, which is known but not practised. When a son is very young the closest brothers of the deceased, in order of seniority, get the largest portion of the inheritance and act as father to the surviving children. If a senior brother of the deceased survives him he must

(1) See Burton F.H., Maliki Law, 1916 (London).

428 always be considered as getting some preference, although a surviving son who is of age (18-20) gets the largest share. When two sons of a deceased father have the same mother the younger son has no orthodox rights, since it is considered that the elder brother is now replacing the father. However, it is customary that, if both are of age, the rule of two parts to one in favour of the senior in relation to junior holds sway, with the father's compound going to the senior. Three full brothers in Magumeri cut up the estate of their father in two parts at his death. Half the estate plus the compound went to the eldest brother while the other half was divided in two between the two younger brothers. A fourth younger brother was about thirteen years old at the time and living in another town - he received nothing. If the sons are from different mothers and both of age, the rules require equal sharing of the property, with the father's house going to the eldest.

A man is not free to dispose of his property to whomsoever he chooses. It must follow the rules of inheritance. However, he may before he dies ask a relative in front of witnesses to give [693] some special possession to a friend after his death. All cases of inheritance disputes that are adjudicated give ten per cent of the inheritance value to the court making the successful judgement.

121 Inheritance customs in any society are an attempt to give continuity and stability to existing social relationships as they refer to rights and prerogatives, given the fact of potential dislocation of the ongoing relational system by loss of membership through death. The universality of inheritance disputes or animosity developing from inheritance transactions recorded from all over the world attest to the inevitable conflicts which arise no matter what variety

428 of system is developed to order this common human problem. Because
571 it is perhaps one of the most fundamental determinants in directing
121 the course of continuity in the social process, it would be well to understand clearly what are the implications and problems created in the system of rules outlined above.

428 Two common kinds of conflicts arise from the Kanuri in-
578 heritance system: a minor and perhaps even invigorating one, and a
613 major and fundamental one which strikes at the unity of the agnatic lineage. The first and minor conflict is that which arises between a deceased's wife, supported by her agnates on the one side, and the agnatic group of her dead husband on the other. She may claim that some of the property of her dead husband really belongs to her, often because she loaned him some of her property and he died before he could give it back. In this type of dispute, the agnatic relations of the deceased act corporately as defendant, while the widow and her [571] agnates are a corporate plaintiff. The end result in terms of social relations in this kind of conflict is to strengthen the agnatic lineage structure of the society.

The second type of conflict can be expressed as a split between collaterallity, as represented by the agnatic siblings of the deceased on the one hand, and linearity as represented by the [692] father-son relationship on the other. This type of dispute which is rarely seen in the courts occurs between a dead man's male siblings and his sons, over the distribution of his property. By traditional law the sons have more rights than their paternal uncles to their father's inheritance, given that they are of age (which sometimes becomes the basis of the argument). However, no clear cut either/or

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distinctions are made between these relatives as to the distribution of the rights and prerogatives of the deceased. The strength of the father-son relationship and its importance as the model for one of the central norms of behaviour in the society give it a much more important and decisive position for resolving conflicts in most cases. Although some internal resentments may result, the legal and social identity of the agnates with one another for the most part override this conflict in the system.

463 554 tions are within larger organisations. However, this comparison suggests that to young western educated Kanuri there is very little choice to make between whether or not they would work as an independent entrepreneur, or within some larger organization.

Birth Ascription

554 Although Kanuri society is, and always has been, a fluid one in which people could (within limits) move up and down the status hierarchy, rank is also judged in terms of an individual's birth into a par- [613] ticular bilateral family. Because of the greater importance of the agnatic group, its status in the society determines to a much larger degree than any other what birth status is accorded to the person.

Several factors, fixed and variable, add to or subtract from [428] the birth status. A fixed factor is the individual's birth order. The eldest son (maji) has a higher status than his brothers for it is known that he is heir to his father's compound and thus to much of his social position. However, this can vary. If the father is very old and his children very young, then a brother of the father will be regarded as the logical heir to the compound as its authoritative head, thus lowering the effect of his young nephew's maji status.

554 602 Despite birth order and the inheritance factors affecting it, one of the first questions asked about a stranger entering a community [123] is, "who is his father?". The political leaders of Magumeri refused to allow the writer to hire a "wandering minstrel" as a water boy during the first few weeks of the field trip because, as they said, "no one knows who his father is." That is to say, his original place in the social organization, his legal unity with an agnatic group which would answer for him and make him a responsible person, was unknown. Thus he

427 are not in conflict, then no trouble emerges from these potentially conflicting criteria of land ownership.

425 428 [182] The following table, indicating sources of land acquisition, demonstrates the fact that for the most part Kanuri land tenure is closely related to traditional modes of socio-political organization.

TABLE XVII

Table of Modes of Land Acquisition for Seventy-five Cultivators

(1)

Occupation	No. of plots	Inherited #	Inherited %	From pol. leader ϕ #	From pol. leader ϕ %	Cleared bush #	Cleared bush %	Bought or given as a gift #	Bought or given as a gift %	% of row totals
farmers	48	31	64.6	7	14.6	9	18.8	1	2.1	100.0%
craftsmen	27	17	62.9	10	37.1	0	-	0	-	100.0%
traders	26	14	53.9	5	19.2	5	19.2	2	7.7	100.0%
pol. & rel. specialists	23	10	43.5	10	43.5	2	8.7	1	4.3	100.0%
Totals	124	72	58.1	32	25.8	16	12.9	4	3.2	100.0%

ϕ From Lawan or Bulama.

The table indicates that 58.1% of all farm land in the three towns examined was acquired through inheritance, i.e. kinship affiliation, while an additional 25.8% was obtained through some political relationship between the cultivator and his local leader. In other words, 83.9% of all land was acquired by producers as a result of their traditional roles in either the kinship or political organization of the rural scene, whereas only 16.1% of the land holdings were the result of individual effort, purchase or gift.

425 It should also be noted that the 25.8% of all land obtained from political leaders refers to cleared, bounded plots, not bushland.